IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 18TH SEPTEMBER 2007 / 27TH BHADRA 1929

WP(C).No. 27432 of 2007(N)

PETITIONER:

E.K.CHANDRASEKHARAN,
RAJBHAVAN, EZHUMANTHURUTHU P.O.

BY ADV. SRI.T.RAVIKUMAR
SMT.G.AMBILI

RESPONDENTS:

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1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES, TRIVANDRUM.

2. AUTHORISED OFFICER UNDER CENTRAL ACT 54 OF 2002, THE KADUTHURUTHY URBAN CO-OPERATIVE BANK LTD., H.O.KADUTHURUTHY, KOTTAYAM, KERALA.

3. THE SECRETARY, KADUTHURUTHY URBAN CO-OPERATIVE BANK LTD.NO.K.399, H.O.KADUTHURUTHY, KOTTAYAM, KERALA.

R1 BY GOVT. PLEADER SMT. ANU SIVARAMAN.
R2 & R3 BY ADV. SRI.VARGHESE C.KURIAKOSE

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/09/2007, ALONG WITH W.P.(C)27617/2007 & CON. CASES THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.M.JOSEPH, J.

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WP.(C) Nos. 27432, 27617, 27622
& 27626 of 2007

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Dated this the 18th day of September, 2007

JUDGMENT

Petitioners have availed loans from the respondent Society. There is default. Recovery steps are taken. Petitioners challenge the same.

2. I heard learned counsel for the respondent Society also. Petitioners pray for permission to pay off the amounts in instalments.

The writ petitions are disposed of as follows:

Petitioners are permitted to pay off the entire amount due with interest in six instalments. The petitioners in all the writ petitions are to pay a sum of Rs.25,000/- on or before 29.9.2007. Upon the petitioners paying the said amounts, the respondent Society will furnish them with a statement showing the balance amount to be paid with interest and also fixing the amount of instalments on the basis that they are to pay off the remaining amount in five equal monthly instalments. The first instalment shall be payable on or before 31.10.2007. The further instalments are to be paid on or before the last working day of

the succeeding months. If either the sum of Rs.25,000/- is not paid or any instalment is defaulted, the petitioners will lose the benefit of this judgment and it is open to the respondent Society to proceed against the petitioners in accordance with law. Proceedings against the petitioners will not be enforced if the petitioners act in accordance with the conditions in the judgment.

(K.M. JOSEPH, JUDGE)

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